

REMARKS

Upon entry of the above amendment, claim 1 will have been amended to include therein the subject matter of claim 2. Further, claim 2 will have been canceled. In addition, claims 1, 3, 5-6, and 8 will have been amended to enhance the clarity of the claim language without narrowing the scope thereof. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all of the claims in the present application, in due course.

As an initial matter, Applicants would like to express their gratitude to the Examiner for considering the documents cited in the Information Disclosure Statement of March 3, 2005.

Turning to the Official Action, Applicants note that the Examiner maintained his previous rejections, which were presented in the Official Action of November 3, 2004.

Applicants, however, respectfully traverse each of the outstanding rejections and submit that they are inappropriate for at least each of the reasons submitted on March 3, 2005, as well as for each of the reasons submitted herein. More specifically, Applicants request withdrawal of each of the outstanding rejections, as the applied references not only fail to disclose each and every feature recited in the claims, but also lack motivation or suggestion for being combined in the manner proposed by the Examiner.

In the Official Action, the Examiner rejected claims 1-3 and 6 under 35 U.S.C. §103(a) as being unpatentable over BUI (U.S. Patent No. 6,763,478) in view of ARAI (U.S. Patent No. 5,978,922).

However, contrary to the Examiner's assertions, Applicants submit that BUI does not disclose a method that includes, inter alia, detecting power shut down, as recited in the claims. With regards to the Examiner's arguments that such features are taught by "unplugging an AC connector from the system" in BUI, Applicants submit that there is no indication in BUI that such a disclosure even relates to "detecting power shut down". Further, there is no indication that "power shutdown detection" necessarily flows from BUI's disclosure of "unplugging an AC connector".

Rather, BUI is directed towards maintaining the operation of a computer system even upon unplugging an AC connector (via battery power), which is probably why there is no discussion or mention of "power shutdown" in the entire disclosure of BUI. That is, in BUI, "unplugging an AC connector from the system" refers to transitioning to battery power mode and not detecting power shutdown.

In addition, the Examiner asserts that the motivation for combining BUI and ARAI is for expedient recovery of the last operating conditions.

Applicants, however, respectfully traverse the Examiner's assertions. In this regard, Applicants submit that there is a lack of motivation to combine BUI and ARAI, as proposed, at least since the applied references are divergent in their teachings and objectives. More specifically, BUI is directed towards prolonging computer operation by optimally transitioning a processor between

two power modes: AC power mode and battery power mode. ARAI, on the other hand, is directed towards providing a resume storage area that is accessible by the BIOS when the power supply to the system is “switched off”. That is, there is no motivation to modify BUI to determine if a power switch is “turned on” (for expedient recovery, as asserted by the Examiner, or for any other reason) at least since BUI discloses a system that is already operating in battery power mode when the AC power connector is removed from the system. Further, BUI is directed towards providing a memory 90 that goes into a self refresh mode to maintain its current content, as well as a buffer 80, thereby not requiring modification for expedient recovery, as proposed by the Examiner.

Furthermore, contrary to the Examiner’s assertions, Applicants submit that ARAI fails to disclose or suggest, inter alia, a clock that measures the given time period in the low speed operation mode, as recited in the claims. Rather, the portion of ARAI cited by the Examiner refers to a specified period in which the computer system is in a non-operating state after the power switch is “turned off”. According to ARAI, when the computer system is in a non-operating state, a clock signal is no longer supplied to the CPU and power is supplied to only main memory (column 7, lines 29-44). In other words, the “specified period” disclosed by ARAI is associated with a non-operating mode and not a low speed operation mode.

Additionally, the Examiner rejected claims 5 and 8 under 35 U.S.C. §103(a) as being unpatentable over BUI in view of ARAI and in further view of KLEIN (U.S. Patent No. 6,178,523). Further, claims 4, 7, and 9 were

rejected under 35 U.S.C. §103(a) as being unpatentable over BUI in view of KOHN (The IEEE Standard Dictionary of Electrical and Electronics Terms, 6<sup>th</sup> ed.) and ARAI (U.S. Patent No. 5,978,922).

Applicants also traverse each of the above-mentioned rejections and submit that they are inappropriate with respect to the claims pending in the present application. In particular, Applicants submit that BUI, ARAI, and KLEIN each fail to disclose at least two distinct time periods with the second time period being longer than the first time period, as recited in at least claims 5 and 8.

In setting forth the rejection, the Examiner asserts that the first given time period is taught by column 3, lines 31-33 of ARAI and that the second given time period is taught by column 7, lines 58-61 of ARAI. Applicants respectfully traverse such assertions and submit that these different portions of ARAI do not describe two distinct time periods, but refer to different descriptions (i.e., Summary of the Invention and Detailed Description) of the same “specified period”. That is, ARAI discloses a single “specified” or “designated” period in which the computer system is in a non-operating state after the power switch is “turned off” and not two distinct periods, as recited in the claims.

Furthermore, Applicants submit that the Examiner’s obviousness assertions regarding at least independent claims 5 and 8 lack suggestion in the references, as well as motivation and a convincing line of reasoning.

Moreover, Applicants submit that any combination of BUI, ARAI, and KLEIN would fail to result in the present invention, as recited in the claims.

In view of the amendments and arguments herein, Applicants submit that claims 1, 5, and 8 are in condition for allowance. With regard to dependent claims 3-4, 6-7, and 9, Applicants submit that they are allowable on their own merit, as well as because they depend either directly or indirectly from independent claim 1, 5, or 8, which Applicants have shown to be allowable.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of the claims, as well as an indication of the allowability of each of the claims in view of the herein-contained remarks.

Further, Applicant notes the status of the present application as being after final rejection and with respect to such status believes that there is a clear basis for entry of the present amendment consistent with 37 C.F.R. §1.116. Applicant notes amendments made to the pending claims do not raise any new issues requiring further search or consideration, as claim 1 has been amended to incorporate therein the subject matter of examined claim 2. The other changes are made in order to improve the clarity of the claim language and do not raise new issues. It is also submitted that the present amendment does not raise the question of new matter. Moreover, the present amendment clearly places the present application in condition for allowance.

Accordingly, Applicant respectfully requests entry of the present amendment in accordance with the provisions of 37 C.F.R. §1.116, reconsideration, withdrawal of the outstanding rejections, and an indication of the allowability of all claims pending herein.

SUMMARY AND CONCLUSION

Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have amended the claims to enhance clarity only and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

The amendments to the claims made in this amendment have not been made to overcome the prior art, and thus, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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